



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re United States Patent Application of:**

**Applicant:** DONATUCCI et al.

**Application No.:** 10/022,298

**Date Filed:** December 18, 2001

**Title:** DECABORANE DELIVERY  
SYSTEM

**Docket No.:** 2771-514

**Examiner:** BUEKER, Richard R.

**Art Unit:** 1763

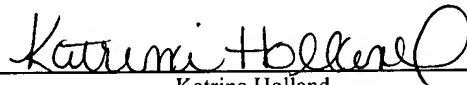
**Confirm. No.:** 1697

**Customer No.:**

**25559**

**EXPRESS MAIL CERTIFICATE**

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to the Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 and Express Mailed under the provisions of 37 CFR 1.10.



Katrina Holland

March 31, 2004

Date

EV160595698US

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**DECLARATION UNDER 37 CFR §1.131 IN U.S. PATENT APPLICATION NO. 10/022,298**

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

MATTHEW B. DONATUCCI hereby declare:

1. THAT I am a co-inventors of the subject matter disclosed and claimed in United States Patent Application No. 10/022,298 filed December 18, 2001 in the United

States Patent and Trademark Office in the names of Matthew B. Donatucci, Luping Wang, James J. Mayer and entitled, "DECABORANE DELIVERY SYSTEM," hereafter referred to as the "Application."

2. THAT the Application discloses and claims a system for a vaporizer and delivery system having multiple elongated wells to provide increased surface area for vaporization of liquids and solid materials used in ion implantation and chemical vapor deposition processes, and that the Application broadly claims such a system in the following claim 1:

1. A vaporizer comprising:

a thermally conductive block having a multiplicity of non-moving elongated wells formed therein for placement of a vapor source material, the multiplicity of elongated wells communicatively connected to an interior space within the thermally conductive block for accumulation of vapor, and wherein each elongated well comprises a single opening that is in fluid communication with the interior space;

means for applying heat to the multiplicity of the elongated wells within the thermally conductive block;

means for sealing the thermally conductive block; and


an outlet for discharge of vapor formed in the vaporizer.

3. THAT I am aware that the Application has been examined by the United States Patent and Trademark Office, that I have read the January 2, 2004 Office Action issued by the United States Patent and Trademark Office, and that I am aware that the claims of the Application as originally filed have been rejected on various grounds including the disclosure of Jurgensen et al. (International Publication Number WO 01/61071).
4. THAT I have been informed by legal counsel that the rejection of the claims of the Application in light of Jurgensen et al. can be overcome by presenting evidence to

the United States Patent and Trademark Office of possession of the claimed invention prior to the effective date of the Jurgensen et al. reference (WO 01/61071) identified in Paragraph 3, that said effective date has been identified as August 23, 2001 (such date hereafter being referred to as "Effective Date").

5. THAT attached in Exhibit 1 hereof is a true and exact copy of pages 1-5 of an Invention Disclosure Document, on which all dates have been blacked out, but which dates are prior to the Effective Date; that the title of the document is "Decaborane Delivery System,"; that page 1, first paragraph, fourth sentence discusses the "[t]he internal reservoir is made up of many deep, cylindrical wells. The small cylindrical wells dramatically increase the surface area to contact the solid, therefore more decaborane is vaporized."; that page 1, middle paragraph discusses "[t]he system also has to be heated evenly over its geometry in order to prevent decaborane from condensing in a 'cold' spot."; that page 2, top paragraph discusses "[t]he lid and valve, which is one piece, is sealed to the block with a viton o-ring and machine screws."; and that on page 2, top paragraph discusses "[a]top the aluminum block is a shut off valve...which provides good conductance for decaborane flow."
6. THAT I offer Exhibit 1 with this Declaration as evidence of the completion and possession of the integrated treatment system disclosed and claimed in the Application prior to the Effective Date identified in Paragraph 4 of this Declaration.

As a below-named declarant, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements, and the like, so made are punishable by fine or imprisonment, or both, under Section 1001 or Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



MATTHEW B. DONATUCCI